

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**

**VIDEOMINING CORPORATION,**

**Bankruptcy No. 20-20425-GLT**

**Debtor.**

**Chapter 11**

**VIDEOMINING CORPORATION,**

**Document No.**

**Movant,**

**vs.**

**ENTERPRISE BANK, WHITE OAK  
BUSINESS CAPITAL, INC., ON DECK  
CAPITAL, ITRIA VENTURES, LLC,  
BROADWAY ADVANCE FUNDING,  
GREEN NOTE CAPITAL PARTNERS, INC.,**

**Respondents.**

**EMERGENCY MOTION FOR INTERIM AND FINAL ORDERS AUTHORIZING THE  
DEBTOR TO USE CASH COLLATERAL**

**AND NOW** comes VideoMining Corporation, by and through its Counsel, Robert O Lampl, John P. Lacher, David L. Fuchs, Ryan J. Cooney and Sy O. Lampl and files this **EMERGENCY MOTION FOR INTERIM AND FINAL ORDERS AUTHORIZING THE DEBTOR TO USE CASH COLLATERAL:**

1. The Movant is VideoMining Corporation (“VideoMining” or “Debtor”).
2. This Case was commenced on February 4, 2020.
3. The Debtor collects video data from grocery and convenient stores regarding shoppers’ in store behavior, analyzes said data, and then packages and sells the same to product retailers.

4. White Oak Business Capital, Inc. ("White Oak") is a secured creditor in this Estate and holds a first lien security interest in the Debtor's accounts receivable. White Oak holds a second lien security interest in all of the Debtor's other assets. White Oak has a claim in the approximate amount of \$1,365,000. Affiliates of the Debtor are also obligated on the indebtedness to White Oak.

5. Enterprise Bank ("Enterprise") is also a secured creditor in this Estate and holds a first position security interest in all assets of the Debtor with the exception of the Debtor's accounts receivable. Enterprise has subordinated its interest in the Debtor's accounts receivable to White Oak. Thus, with respect to the Debtor's pre-petition accounts receivable, White Oak is in the first position and Enterprise is in the second petition. Enterprise has a claim in the approximate amount of \$607,000. Affiliates of the Debtor are also obligated on the indebtedness to Enterprise.

6. On Deck Capital, Itria ventures, LLC, Broadway Advance Funding and Green Note Capital Partners, Inc. all purport to hold junior blanket liens on the Debtor's assets.

7. The Debtor submits that all cash held by the Debtor on the Petition date and all proceeds from the post-petition collection of the Debtor's pre-petition accounts receivable constitute cash collateral within the meaning of section 363(a) of the Bankruptcy Code.

8. The Debtor's cash as of the Petition date totals approximately \$25,000. The Debtor's accounts receivable on the Petition date totals \$739,770.

9. Aside from the cash and the accounts receivable, the Debtor's primary other assets consist of forty-six (46) patents which are worth approximately \$20,000,000.

10. The Debtor must use its cash collateral to remain in business and maintain the value of its enterprise as a going concern.

11. A budget is attached hereto as **Exhibit A**. The budget sets forth the proposed usage of cash collateral by the Debtor.

12. As set forth in the budget, the Debtor expects to collect in excess of \$300,000 of its pre-petition accounts receivable in the next two (2) weeks. In addition to general operating expenses, some of these funds are needed to cover a portion of a pre-petition payroll and associated payroll taxes in the amount of \$65,000.

13. To adequately protect the interests of White Oak in its collateral the Debtor will provide White Oak with a payment upon the collection of each pre-petition accounts receivable in the amount of 15% of the total amount of the receivable collected. The Debtor submits that this proposal is more than adequate given White Oak's security interest in the Debtor's patent portfolio. Given this security interest, White Oak has a substantial equity cushion.

14. Given the exigencies of the circumstances, it is necessary for this Honorable Court, on an emergency basis, to authorize the Debtor's continued use of its cash collateral.

**WHEREFORE**, the Movant respectfully requests that this Honorable Court enter an order authorizing the Debtor's continued use of cash collateral.

Respectfully Submitted,

Date: February 5, 2020

/s/ Robert O Lampl  
ROBERT O LAMPL  
PA I.D. #19809  
JOHN P. LACHER  
PA I.D. #62297  
DAVID L. FUCHS  
PA I.D. #205694  
RYAN J. COONEY  
PA I.D. #319213  
SY O. LAMPL  
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GREEN NOTE CAPITAL PARTNERS, INC.,**

**Respondents.**

**CERTIFICATE OF SERVICE**

I, Robert O Lampl, hereby certify, that on the 5<sup>th</sup> day of February, 2020, a true and correct copy of the foregoing **EMERGENCY MOTION FOR INTERIM AND FINAL ORDERS AUTHORIZING THE DEBTOR TO USE CASH COLLATERAL** was served upon the following (*via electronic service, hand delivery and/or First-Class U.S. Mail*):

Office of the U.S. Trustee  
970 Liberty Center  
1001 Liberty Avenue  
Pittsburgh, PA 15222  
Norma.hildenbrand@usdoj.gov

Enterprise Bank  
c/o William E. Kelleher  
Cohen & Grigsby, P.C.  
625 Liberty Avenue  
Pittsburgh, PA 15222  
[wkelleher@cohenlaw.com](mailto:wkelleher@cohenlaw.com)

White Oak Business Capital, Inc.  
c/o George Snyder  
125 First Ave.  
Pittsburgh, PA 15222  
[gsnyder@stonecipherlaw.com](mailto:gsnyder@stonecipherlaw.com)

On Deck Capital  
c/o Federated Law Group, PLLC  
887 Donald Ross Rd.  
Juno Beach, FL 33408

Itria Ventures, LLC  
One Penn Plaza, Suite 4530  
New York, NY 10119

Broadway Advance Funding  
39 Broadway, Suite 930  
New York, NY 1006

Green Note Capital Partners, Inc.  
c/o Berkovitch and Bouskila, P.C.  
80 Broad Street, Suite 3303  
New York, NY 1004

Date: February 5, 2020

/s/ Robert O Lampl  
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JOHN P. LACHER  
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DAVID L. FUCHS  
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